

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Clarence J Porch**  
**Darlene D Porch**  
Debtor(s)

Bankruptcy Case No.: 19-23819-CMB  
Issued Per Nov. 4, 2019 Proceeding  
Chapter: 13  
Docket No.: 29 - 6  
Concil. Conf.: April 9, 2020 at 10:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 30, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Apr. 9, 2020 at 10:30 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Baldwin Borough at Claim No. 1; PA Department of Revenue at Claim No. 5; I.R.S. at Claim No. 7 .
- ☒ H. Additional Terms: The claim of Navient Solutions (Claim No. 8) shall govern as to amount as long term continuing debt as unsecured specially classified.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: November 12, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Clarence J Porch  
 Darlene D Porch  
 Debtors

Case No. 19-23819-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 36

Date Rcvd: Nov 12, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 14, 2019.

db/jdb  
 cr +Clarence J Porch, Darlene D Porch, 5410 Mcannulty Rd, Pittsburgh, PA 15236-2535  
 +Dep't of Revenue Office of Attorney General, Anthony T. Kovalchick, 1251 Waterfront Place,  
 Mezzanine Level, Pittsburgh, PA 15222-4227  
 15131576 Baldwin Boro, Gerid Jenko Esq, 614 Lebanon Rd, West Mifflin, PA 15122  
 15136407 +Baldwin Borough, c/o Legal Tax Service, 714 Lebanon Road, West Mifflin, PA 15122-1030  
 15131577 +Blaze Mastercard, Box 5096, Sioux Falls, SD 57117-5096  
 15131580 +EOS CCA, Box 981002, Boston, MA 02298-1002  
 15131581 +First National Credit Card, Box 2496, Omaha, NE 68103-2496  
 15131582 +First Premier Bank, Box 5529, Sioux Falls, SD 57117-5529  
 15131583 +First Savings Credit Card, Box 2509, Omaha, NE 68103-2509  
 15131584 +Fortiva Credit Card, Box 790156, Saint Louis, MO 63179-0156  
 15131585 +Genesis FS Card Services, Box 4477, Columbus, GA 31914-0477  
 15131587 +Lending Club, 595 Market St, Suite 200, San Francisco, CA 94105-2807  
 15131590 +Mariner Finance, 8211 Town Center, Box 44490, Nottingham, MD 21236-5904  
 15131592 +PA Dept of Revenue, Box 280427, Harrisburg, PA 17128-0427  
 15131594 +Reflex Mastercard, Box 6812, Carol Stream, IL 60197-6812  
 15156261 +The Bank of Missouri, PO Box 105555, Atlanta, GA 30348-5555  
 15131595 +UPMC, Box 371472, Pittsburgh, PA 15250-7472

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: acg.acg.ebn@americaninfosource.com Nov 13 2019 04:21:09  
 Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS,  
 Oklahoma City, OK 73118-7901  
 cr +E-mail/Text: kbarkley@bernsteinlaw.com Nov 13 2019 04:17:08 Duquesne Light Company,  
 c/o Bernstein-Barkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,  
 Pittsburgh, PA 15219-1945  
 cr +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 13 2019 04:22:14  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15131575 +E-mail/Text: amscbankruptcy@adt.com Nov 13 2019 04:17:15 ADT Security, 3190 S Vaughn Way,  
 Aurora, CO 80014-3512  
 15131578 +E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Nov 13 2019 04:20:12  
 Capital One Auto Finance, Box 60511, City of Industry, CA 91716-0511  
 15138224 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Nov 13 2019 04:22:13  
 Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360  
 15151848 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 13 2019 04:20:05  
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,  
 Charlotte, NC 28272-1083  
 15131579 +E-mail/PDF: creditonebknottifications@resurgent.com Nov 13 2019 04:20:11 Credit One Bank,  
 Box 60500, City of Industry, CA 91716-0500  
 15136894 E-mail/Text: mrdiscen@discover.com Nov 13 2019 04:15:33 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 15131586 +E-mail/Text: cio.bncmail@irs.gov Nov 13 2019 04:15:45 IRS, Box 37004,  
 Hartford, CT 06176-7004  
 15131588 +E-mail/PDF: gecsed@recoverycorp.com Nov 13 2019 04:19:56 Lowes Synchrony Bank,  
 Box 530914, Atlanta, GA 30353-0914  
 15131589 E-mail/Text: camanagement@mtb.com Nov 13 2019 04:15:50 M&T Bank, Box 62182,  
 Baltimore, MD 21264  
 15131591 +E-mail/PDF: pa\_dc\_claims@navient.com Nov 13 2019 04:22:17 Navient, Box 9533,  
 Wilkes Barre, PA 18773-9533  
 15147229 +E-mail/Text: GUARBKe-courtdocs@ascendiumeducation.org Nov 13 2019 04:14:38  
 Navient Solutions, LLC on behalf of, Ascendium Education Solutions, Inc., PO Box 8961,  
 Madison, WI 53708-8961  
 15140230 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Nov 13 2019 04:16:14  
 Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,  
 Harrisburg, PA 17128-0946  
 15132547 +E-mail/PDF: gecsed@recoverycorp.com Nov 13 2019 04:22:00 Synchrony Bank,  
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15140331 +E-mail/Text: bankruptcy@huntington.com Nov 13 2019 04:16:25 The Huntington National Bank,  
 P O Box 89424, Cleveland OH 44101-6424  
 15131596 +E-mail/Text: wfmelectronicbankruptcyntifications@verizonwireless.com Nov 13 2019 04:14:32  
 Verizon, Box 25505, Lehigh Valley, PA 18002-5505  
 15131597 +E-mail/Text: bkr@virtuososourcing.com Nov 13 2019 04:17:22 Virtuoso Sourcing,  
 4500 Cherry Creek South Drive, Suite 500, Denver, CO 80246-1500

TOTAL: 19

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr M&T Bank

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 2  
Total Noticed: 36

Date Rcvd: Nov 12, 2019

15131593      ##+Penn Credit Corp,      916 S 14th St,      Box 988,      Harrisburg, PA 17104-3425

TOTALS: 1, \* 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 14, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 12, 2019 at the address(es) listed below:

Anthony T. Kovalchick      on behalf of Creditor Dep't of Revenue      Office of Attorney General  
akovalchick@attorneygeneral.gov  
Brad L. Hamric      on behalf of Joint Debtor Darlene D Porch hamriclaw@comcast.net  
Brad L. Hamric      on behalf of Debtor Clarence J Porch hamriclaw@comcast.net  
James Warmbrodt      on behalf of Creditor      M&T Bank bkgroup@kmlawgroup.com  
Keri P. Ebeck      on behalf of Creditor      Duquesne Light Company kebeck@bernsteinlaw.com,  
jbluemle@bernsteinlaw.com  
Office of the United States Trustee      ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour      cmecf@chapter13trusteedpa.com

TOTAL: 7